

1fw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-169-A)

To the Application of:)

Jose Aquino et al.)

Examiner: To Be Assigned)

Serial No. : 10/828,582)

Filed: April 21, 2004)

Art Unit: 1614)

For: Phenacyl 2-Hydroxy-3-Diaminoalkanes)

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement (IDS) (4 sheets);
 - b. Form PTO-1449 (3 sheets);
 - c. International Search Report for PCT/US2004/012384 (4 sheets);
 - d. Thirty-Nine (39) Cited References; and
 - e. Return Receipt Postcard.
2. With respect to fees:
 - a. X No fee is required
3. Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 28, 2005.

Respectfully submitted,

Date: March 28, 2005 By:

Raafat M. Shaltout
Raafat M. Shaltout
Reg. No. 45,092
McDonnell, Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive
Chicago, IL 60606
312 913-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-169-A)

In the Application of:)

Jose Aquino et al.)

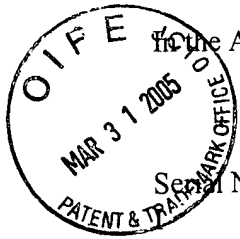
Serial No. : 10/828,582)

Filed: April 21, 2004)

For: Phenacyl 2-Hydroxy-3-Diaminoalkanes)

Examiner: To Be Assigned

Art Unit: 1614



INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of references cited 20-58 below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

United States Patents

1. Eppstein et al., U.S. Patent No. 4,522,811, issued June 11, 1985.
2. Liversidge et al., U.S. Patent No. 5,145,684, issued September 8, 1992.
3. Cordell, U.S. Patent No. 5,387,742, issued February 7, 1995.
4. Seubert et al., U.S. Patent No. 5,441,870, issued August 15, 1995.
5. Schenk et al., U.S. Patent No. 5,593,846, issued January 14, 1997.
6. McConlogue et al., U.S. Patent No. 5,604,102, issued February 18, 1997.
7. McConlogue et al., U.S. Patent No. 5,612,486, issued March 18, 1997.
8. Wadsworth et al., U.S. Patent No. 5,720,936, issued February 24, 1998.
9. Seubert et al., U.S. Patent No. 5,721,130, issued February 24, 1998.

10. Chrysler et al., U.S. Patent No. 5,744,346, issued April 28, 1998.
11. Schlossmacher et al., U.S. Patent No. 5,766,846, issued June 16, 1998.
12. Wadsworth et al., U.S. Patent No. 5,811,633, September 22, 1998.
13. McLonlogue et al., U.S. Patent No. 5,850,003, December 15, 1998.
14. Hardy et al., U.S. Patent No. 5,877,015, March 2, 1999.
15. Hsiao et al., U.S. Patent No. 5,877,399 March 2, 1999.
16. Cordell, U.S. Patent No. 5,912,410, issued June 15, 1999.
17. Anderson et al., U.S. Patent No. 5,942,400, August 24, 1999.
18. Liversidge et al., U.S. Patent No. 6,045,829, issued April 4, 2000.
19. Audia et al., U.S. Patent No. 6,191,166, issued February 20, 2001.

Foreign Documents

20. PCT Patent Application, WO 98/22597, published May 28, 1998.
21. PCT Patent Application, WO 99/64001, published December 16, 1999.
22. PCT Patent Application, WO 00/03819, published January 27, 2000.
23. PCT Patent Application, WO 00/17369, published March 30, 2000.
24. PCT Patent Application, WO 00/47618, published August 17, 2000.
25. PCT Patent Application, WO 01/10387, published February 15, 2001.
26. PCT Patent Application, WO 01/23533, published April 5, 2001.
27. PCT Patent Application, WO 02/100820, published December 19, 2002.
28. PCT Patent Application, WO 02/02512, published January 10, 2002.
29. PCT Patent Application, WO 03/029169, published April 10, 2003.
30. PCT Patent Application, WO 03/006021, published January 23, 2003.
31. PCT Patent Application, WO 03/006423, published January 23, 2003.
32. PCT Patent Application, WO 04/024081, published March 25, 2004.

Other Documents

33. Berge et al., (1977) *J. Pharm. Sci.* 66(1):1.
34. Citron et al., (1992) *Nature* 360:672-674.
35. Cornelius et al., (1994) *Synthetic Communications* 24:2777-2788.
36. Dantzig et al., (1996) *Cancer Research* 56:4171-4179.
37. Emilieu et al., (2000) *Arch. Neurol.* 57:454.
38. Games et al., (1995) *Nature* 373:523-527.
39. Gould et al., (1986) *Int. J. Pharm.* 33:201-217.
40. Hardy et al., (1992) *Nature Genet.* 1:233-234.


41. Hussain et al., (1999) *Mol. Cell. Neurosci.* 14:419-427.
42. Hyafil et al., (1993) *Cancer Research* 53:4595-4602.
43. Jones et al., (1991) *J. Org. Chem.* 56:763-769.
44. Kang et al., (1987) *Nature* 325:733-6.
45. Kitaguchi et. al., (1981) *Nature* 331:530-532.
46. Lin et al., (2000) *PNAS USA* 97:1456-1460.
47. Luo et al., (2001) *Nature Neuroscience* 4:231-232.
48. Pirttila et al., (1999) *Neuro. Lett.* 249:21-4.
49. Rover et al., (2000) *J. Med. Chem.* 43:1329-1338.
50. Sabbagh et al., (1997) *Alz. Dis. Rev.* 3:1-19.
51. Saito et al., (1980) *J. Med. Chem.* 23:1364-1372.
52. Selkoe et al., (1991) *Neuron* 6:487.
53. Seubert et al., (1992) *Nature* 359:325-327.
54. Sinha et al., (1999) *Nature* 402:537-554.
55. Vassar et al., (1999), *Science* 286:735-741.
56. Witherspoon et al., (1996) *Clin. Cancer Res.* 2:7-12.
57. Yan et al., (1999) *Nature* 402:533-537.
58. Zhou et al., (1999) *Tetrahedron Ltr.* 40:2729-2732.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

Date: March 28, 2005

By:



Raafat M. Shaltout, Ph.D.

Reg. No. 45,092

McDonnell, Boehnen Hulbert & Berghoff LLP

300 South Wacker Drive, 31st Floor

Chicago, IL 60606

312 913-0001

FORM PTO-1449
(Rev. 2-32)

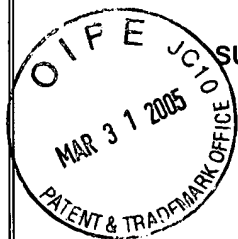
U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

03-169-A

Serial No.

10/828,582



**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

Applicant:

Aquino, et al.

Filing Date:

April 21, 2004

Group:

1614

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	4,522,811	June 11, 1985	Eppstein et al.			
	2.	5,145,684	Sept, 1992	Liversidge et al.			
	3.	5,387,742	Feb 7, 1995	Cordell			
	4.	5,441,870	Aug 15, 1995	Seubert et al.			
	5.	5,593,846	Jan 14, 1997	Schenk et al.			
	6.	5,604,102	Feb 18, 1997	McConlogue et al.			
	7.	5,612,486	Mar 18, 1997	McConlogue et al.			
	8.	5,720,936	Feb 24, 1998	Wadsworth et al.			
	9.	5,721,130	Feb 24, 1998	Seubert et al.			
	10.	5,744,346	April 28, 1998	Chrysler et al.			
	11.	5,766,846	June 16, 1998	Schlossmacher et al.			
	12.	5,811,633	Sept 22, 1998	Wadsworth et al.			
	13.	5,850,003	Dec 15, 1998	McConlogue et al.			
	14.	5,877,015	Mar 2, 1999	Hardy et al.			
	15.	5,877,399	Mar 2, 1999	Hsiao et al.			
	16.	5,912,410	June 15, 1999	Cordell			
	17.	5,942,400	Aug 24, 1999	Anderson et al.			
	18.	6,045,829	April 4, 2000	Liversidge et al.			
	19.	6,191,166	Feb 20, 2001	Audia et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

03-169-A

Serial No.

10/828,582

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

Applicant:

Aquino, et al.

Filing Date:

April 21, 2004

Group:

1614

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	20.	WO 98/22597	May 28, 1998					
	21.	WO 99/64001	Dec 16, 1999					
	22.	WO 00/03819	Jan 27, 2000					
	23.	WO 00/17369	Mar 30, 2000					
	24.	WO 00/47618	Aug 17, 2000					
	25.	WO 01/10387	Feb 15, 2001					
	26.	WO 01/23533	April 5, 2001					
	27.	WO 02/100820	Dec 19, 2002					
	28.	WO 02/02512	Jan 10, 2002					
	29.	WO 03/029169	April 10, 2003					
	30.	WO 03/006021	Jan 23, 2003					
	31.	WO 03/006423	Jan 23, 2003					
	32.	WO 04/024081	Mar 25, 2004					

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	33.	Berge et al., (1977) <i>J. Pharm. Sci.</i> 66(1):1.
	34.	Citron et al., (1992) <i>Nature</i> 360:672-674.
	35.	Cornelius et al., (1994) <i>Synthetic Communications</i> 24:2777-2788.
	36.	Dantzig et al., (1996) <i>Cancer Research</i> 56:4171-4179.
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

03-169-A

Serial No.

10/828,582

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

Applicant:

Aquino, et al.

Filing Date:

April 21, 2004

Group:

1614

37.	Emilieu et al., (2000) <i>Arch. Neurol.</i> 57:454.
38.	Games et al., (1995) <i>Nature</i> 373:523-527.
39.	Gould et al., (1986) <i>Int. J. Pharm.</i> 33:201-217.
40.	Hardy et al., (1992) <i>Nature Genet.</i> 1:233-234.
41.	Hussain et al., (1999) <i>Mol. Cell. Neurosci.</i> 14:419-427.
42.	Hyafil et al, (1993) <i>Cancer Research</i> 53:4595-4602.
43.	Jones et al., (1991) <i>J. Org. Chem.</i> 56:763-769.
44.	Kang et al., (1987) <i>Nature</i> 325:733-6.
45.	Kitaguchi et. al., (1981) <i>Nature</i> 331:530-532.
46.	Lin et al., (2000) <i>PNAS USA</i> 97:1456-1460.
47.	Luo et al., (2001) <i>Nature Neuroscience</i> 4:231-232.
48.	Pirttila et al., (1999) <i>Neuro. Lett.</i> 249:21-4.
49.	Rover et al., (2000) <i>J. Med. Chem.</i> 43:1329-1338.
50.	Sabbagh et al., (1997) <i>Alz. Dis. Rev.</i> 3:1-19.
51.	Saito et al., (1980) <i>J. Med. Chem.</i> 23:1364-1372.
52.	Selkoe et al., (1991) <i>Neuron</i> 6:487.
53.	Seubert et al., (1992) <i>Nature</i> 359:325-327.
54.	Sinha et al., (1999) <i>Nature</i> 402:537-554.
55.	Vassar et al., (1999), <i>Science</i> 286:735-741.
56.	Witherspoon et al., (1996) <i>Clin. Cancer Res.</i> 2:7-12.
57.	Yan et al., (1999) <i>Nature</i> 402:533-537.
58.	Zhou et al., (1999) <i>Tetrahedron Ltr.</i> 40:2729-2732.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.